

REMARKS

Claims 1 - 8 are pending and under consideration.

In the Office Action, Claims 1 - 8 were rejected.

With this Amendment, Claim 1 is amended, Claim 5 has been cancelled, and Claim 9 has been added. No new matter has been introduced as a result of this amendment.

Accordingly, Claims 1 - 4 and 6 - 9 are at issue.

I. 35 U.S.C. § 102 Anticipation Rejection of Claims 1-8

Claims 1- 6 and 8 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sudano et al. ("Sudano") (U.S. Patent No. 6,933,077). Although Applicant respectfully traverses this rejection, Claim 1 has been amended to clarify the invention and remove any ambiguities that may have been the basis for these claim rejections.

Claim 1 is directed to a battery, which comprises an anode, a cathode, and electrolyte. Claim 1 has been amended by incorporating the limitations of Claim 5. As amended, Claim 1 recites that "said polymer has a true specific gravity not less than 0.9 g/cc and not larger than 1.8 g/cc."

A true specific gravity of a polymer varies in accordance with a basic structure of the polymer, such as a degree of polymerization, ratio of branches, and length of a main chain or branches, among others. Applicant discloses a relationship between the true specific gravity and polymers adapted as the polymer substrate films, and teaches a range of the true specific gravity of those polymers which provide a desired performance for the polymer substrate used in the claimed battery (See Table 1 on page 33 of the Specification).

In the Office Action, the Examiner advances that Claim 5 is anticipated by Sudano because Sudano discloses the same polymer. However, Sudano fails to teach or disclose a relationship between the true specific gravity and the disclosed polymers. Further, Sudano fails to teach or suggest a relationship between a performance of the polymer substrate film and the true specific gravity. Moreover, Sudano fails to teach or suggest a range of the true specific gravity of the polymers which provide desired performance when utilized as the polymer substrate film in the batteries.

Thus, Claim 1 is allowable over Sudano, as are dependent Claims 1 – 4 and 6 – 8 for at least the same reasons.

Accordingly, Applicant respectfully requests that this claim rejection pursuant to 35 USC 102 (e) be withdrawn.

II. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sudano et al. as applied to claim 1 above, and further in view of Kimijima et al. (6,682,853). Applicant respectfully traverses this rejection.

In view of the above remarks made by Applicant about the cited Sudano reference, Sudano and Kimijima may not properly be combined to reject Claim 1 and dependent Claim 7. Thus, dependent Claim 7 is allowable over Sudano in view of Kimijima.

Accordingly, Applicant respectfully requests that this claim rejection pursuant to 35 USC 103(a) be withdrawn.

III. 35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 1- 8 were further rejected under 35 U.S.C. 102(b) as being anticipated by JP9-120818. Although Applicant respectfully traverses this rejection, Claim 1 has been amended to clarify the invention and remove any ambiguities that may have been the basis for these claim rejections.

JP9-120818 also fails to teach or suggest a range of the true specific gravity of the polymers which provide desired performance when utilized as the polymer substrate film in the batteries. Thus, as stated above in regard to the Sudano reference, JP9-120818 does not anticipate Claim 1.

Thus, Claim 1 is allowable over JP9-120818, as well as dependent Claims 1 – 4 and 6 – 8 for at least the same reasons.

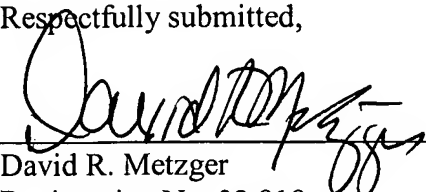
Accordingly, Applicant respectfully requests that this claim rejection pursuant to 35 USC 102 be withdrawn.

New Claim 9, being dependent on Claim 1, is also allowable over Sudano and JP9-120818.

IV. Conclusion

In view of the above amendments and remarks, Applicant submits that Claims 1, 2, and 4 - 8 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

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Respectfully submitted,

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